

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARYLEBONE PCC LIMITED – ROSE 2 FUND,  
on behalf of itself and all similarly  
situated persons,

Plaintiff,

vs.

MILLENNIUM GLOBAL INVESTMENTS LTD.,  
MILLENNIUM ASSET MANAGEMENT LTD.,  
MICHAEL R. BALBOA, GLOBEOP FINANCIAL  
SERVICES LTD., BCP SECURITIES LLC and XYZ  
CORP.,

Defendants.

Case No. 12-CV-3835 (PAC)

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 9-17-12

**NOTICE OF MOTION AND MOTION FOR APPOINTMENT OF  
INTERIM CLASS COUNSEL PURSUANT TO FED. R. CIV. P. 23(g)**

PLEASE TAKE NOTICE that Plaintiff Marylebone PCC Limited – Rose 2 Fund (“Plaintiff”) will move this Court on a date and time as may be designated by the Court, at 500 Pearl Street, New York, New York, for an order appointing Zamansky & Associates LLC and Stewarts Law US LLP as interim class counsel pursuant to Fed. R. Civ. P. 23(g). In support of this Motion, Plaintiff submits a memorandum of law with biographies of the Firms as exhibits. Plaintiff further submits a proposed order via email to the Clerk of Court pursuant to Local Civil Rule 77.1 and SDNY Electronic Case Filing Instruction 18.4.

*September 13, 2012*  
The applicant for the appointment of interim class counsel is denied. If anything it is very premature. The appointment cannot be accepted because interim counsel. The government's authority to prosecute is not delegated. Similarly the SEC has not reported/announced. Other than this class action there are no other civil complaints. Nothing prevents plaintiff from taking whatever action it deems appropriate, but that does not mean to suggest that counsel should be designated as interim class counsel.

*Soudered*  
*Paul Huth*  
11/15